

EAST BATON ROUGE PARISH C-698920  
 Filed Aug 28, 2020 21/D  
 Deputy Clerk of Court  
 FAX Received Aug 17, 2020

EXHIBIT "1"

## 19th JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

## STATE OF LOUISIANA

NO.

DIVISION " "

AUBREY WILD

VERSUS

FIELDWOOD ENERGY, LLC, ABC INSURANCE COMPANY,  
 ACADIAN CONTRACTORS, INC., XYZ INSURANCE COMPANY,  
 and HAROLD LIRETTE

FILED: \_\_\_\_\_

DEPUTY CLERK

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel comes Plaintiff, AUBREY WILD, a person of the full age of majority and resident of St. Tammany Parish, State of Louisiana, and with respect states as follows:

1.

Made Defendants herein are:

- a) **FIELDWOOD ENERGY, LLC**, a foreign limited-liability company authorized to do and doing business in the State of Louisiana, which at all times relevant hereto: owned, operated, leased, controlled and/or maintained the oil and gas platform at issue in this litigation and whose actions, inactions and negligence contributed to the November 8, 2019 incident at issue herein.
- b) **ABC INSURANCE COMPANY**, a foreign corporation authorized to do and doing business in the State of Louisiana, which at all times relevant herein had in full force and effect a policy of general liability insurance in favor of Defendant, **FIELDWOOD ENERGY, LLC**, against their liability in connection with the November 8, 2019 accident at issue herein.
- c) **ACADIAN CONTRACTORS, INC.**, a domestic corporation authorized to do and doing business in the State of Louisiana, which at all times relevant herein was the employer of Defendant, **HAROLD LIRETTE**, and to whom the negligent actions of its self and of the Defendant, **HAROLD LIRETTE** are attributable related to the November 8, 2019 accident at issue herein.

Myriah Rosette



Certified True and  
 Correct Copy  
 CertID: 2020090100133

East Baton Rouge Parish  
 Deputy Clerk of Court

Generated Date:  
 9/1/2020 8:49 AM

- d) **XYZ INSURANCE COMPANY**, a foreign corporation authorized to do and doing business in the State of Louisiana, which at all times relevant herein had in full force and effect a policy of general liability insurance in favor of Defendants, **ACADIAN CONTRACTORS, INC.** and **HAROLD LIRETTE**, against their liability in connection with the November 8, 2019 accident at issue herein.
- e) **HAROLD LIRETTE**, a person of the full age of majority and domiciled in Lafourche Parish, Louisiana, who, at all times relevant herein, was in the course and scope of his duties and/or work for Defendant, **ACADIAN CONTRACTORS, INC.** and whose negligent actions, failure to act properly, or omissions caused the injury to your petitioner.

2.

Defendants, **FIELDWOOD ENERGY, LLC**, **ACADIAN CONTRACTORS, INC.**, and **HAROLD LIRETTE** are jointly and severally liable unto your Petitioner for this matter, to wit: On or about November 8, 2019, **AUBREY WILD** was employed by Total Safety, Inc. working as a third-party medic on an oil and gas platform that was owned, operated, leased, controlled and/or maintained by **FIELDWOOD ENERGY, LLC** and/or **ACADIAN CONTRACTORS, INC.**, The oil and gas platform at issue was located at or near 100 miles southeast of Houma on the Continental Shelf.

3.

Defendant, **FIELDWOOD ENERGY, LLC** owned, operated, leased, controlled and/or maintained the oil and gas platform at issue in this litigation. Defendant, **FIELDWOOD ENERGY, LLC** has a duty to maintain the platform free from hazards or defects and to provide a safe environment on the platform, including the use of clean, safe water.

4.

Defendant, **ACADIAN CONTRACTORS, INC.** owned, operated, leased, controlled and/or maintained the oil and gas platform at issue in this litigation. Defendant, **ACADIAN CONTRACTORS, INC.** has a duty to maintain the platform free from hazards or defects and to provide a safe environment on the platform, including the use of clean, safe water. On information and belief, Defendant, **HAROLD LIRETTE**, was, at all times pertinent herein, in the course and scope of his employment for **ACADIAN CONTRACTORS, INC.** Said work duties of **HAROLD LIRETTE** involved being the team member at the **ACADIAN CONTRACTORS, INC.**

*Myriah Rosette*



Certified True and  
Correct Copy  
CertID: 2020090100133

East Baton Rouge Parish  
Deputy Clerk of Court

Generated Date:  
9/1/2020 8:49 AM

responsible for maintaining the water supply in a safe, clean manner for use on the platform.

5.

On or about November 8, 2019, Plaintiff, **AUBREY WILD**, contracted flesh-eating bacteria while on platform by drinking and bathing in the water provided to him for use while living on the platform. Plaintiff, **AUBREY WILD**, did not have access to a different water supply.

6.

Defendant, **FIELDWOOD ENERGY, LLC**, negligently failed to maintain a safe and healthy water supply on the platform causing Plaintiff, **AUBREY WILD**, to come into contact and contract a flesh-eating bacteria. The contraction of the flesh-eating bacteria is the direct and sole result of Defendant, **FIELDWOOD ENERGY, LLC's**, failures to properly sanitize the water supply for safe use.

7.

In the alternative, Defendant, **ACADIAN CONTRACTORS, INC.** and **HAROLD LIRETTE**, negligently failed to maintain a safe and healthy water supply on the platform causing Plaintiff, **AUBREY WILD**, to come into contact and contract the flesh-eating bacteria. Defendant, **HAROLD LIRETTE**, who at times herein was in the course and scope of his duties for Defendant, **ACADIAN CONTRACTORS, INC.**, was responsible for maintaining the water supply on the platform in a safe and suitable manner for use. The contraction of the flesh-eating bacteria is the direct and sole result of Defendant, **ACADIAN CONTRACTORS, INC.** and **HAROLD LIRETTE's**, failure to properly sanitize the water supply for safe use.

8.

As a result of contracting the flesh-eating bacteria, which was caused by the negligence of Defendants, **FIELDWOOD ENERGY, LLC**, and /or **ACADIAN CONTRACTORS, INC.**, and **HAROLD LIRETTE**, **AUBREY WILD** suffered personal and bodily injuries and mental anguish, including but not limited to: severe leg injuries, necrosis of the leg, multiple surgery procedures causing permanent disability and constant pain.

9.

As a result of the foregoing and as per applicable Louisiana Law including, but not limited to, the Doctrines of Respondeat Superior, principal and agent, employer-employee, and/or master-

*Myriah Rosette*



Certified True and  
Correct Copy  
CertID: 2020090100133

East Baton Rouge Parish  
Deputy Clerk of Court

Generated Date:  
9/1/2020 8:49 AM

servant, said **ACADIAN CONTRACTORS, INC.** is a proper party-defendant, and to which the negligence and/or liability of Defendant, **HAROLD LIRETTE**, is attributable.

10.

**ABC INSURANCE COMPANY**, at all times relevant herein had in full force and effect a policy of general liability insurance in favor of Defendant, **FIELDWOOD ENERGY, LLC**, against its liability in connection with the November 8, 2019 incident at issue herein. As a result of the foregoing and as per applicable Louisiana Law including, but not limited to, the Doctrines of Respondeat Superior, principal and agent, insurer and insured, the Louisiana Direct Action Statute, LSA-R.S. 22:655, and/or master-servant, said **ABC INSURANCE COMPANY**, has been named herein as party-defendant, and is answerable and/or responsible for coverage of the negligence and/or liability of Defendant, **FIELDWOOD ENERGY, LLC**.

11.

**XYZ INSURANCE COMPANY**, at all times relevant herein had in full force and effect a policy of umbrella personal liability insurance in favor of Defendants, **ACADIAN CONTRACTORS, INC.** and **HAROLD LIRETTE**, against their liability in connection with the November 8, 2019 accident at issue herein. As a result of the foregoing and as per applicable Louisiana Law including, but not limited to, the Doctrines of Respondeat Superior, principal and agent, insurer and insured, the Louisiana Direct Action Statute, LSA-R.S. 22:655, and/or master-servant, said **XYZ INSURANCE COMPANY**, has been named herein as party-defendant, and is answerable and/or responsible for coverage of the negligence and/or liability of Defendants, **ACADIAN CONTRACTORS, INC.** and **HAROLD LIRETTE**.

12.

As a result of the November 8, 2019 accident, **AUBREY WILD**, has suffered and continues to suffer physical and mental injuries as well as inconvenience, entitling them to recover damages including but not limited to:

- a) Past and Future Mental pain and suffering;
- b) Past and Future Physical pain and suffering;
- c) Past and Future Medical expenses;
- d) Past and Future Inconvenience,
- e) Past and Future Lost Wages and Benefits and/or Loss of Earning Capacity;
- f) Past and Future Loss of Enjoyment of Life;
- g) Permanent Disability; and
- h) All damages allowed under Louisiana law which may be proven at trial.

*Myriah Rosette*



Certified True and  
Correct Copy  
CertID: 2020090100133

East Baton Rouge Parish  
Deputy Clerk of Court

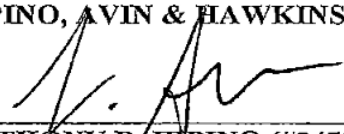
Generated Date:  
9/1/2020 8:49 AM



**WHEREFORE**, the aforesaid premises considered, your Petitioner prays that Defendants, be duly served with a copy of this petition and cited to appear and answer same, and that after due proceedings had, that there be a judgment herein in favor of your Petitioner and against Defendants herein finding said Defendants liable jointly, severally, and *in solido* for the full amount of your Petitioner's damages, and all costs together with legal interest thereon from the date of judicial demand until paid.

Respectfully submitted:

**IRPINO, AVIN & HAWKINS**

  
**ANTHONY D. IRPINO (#24727)**  
**J. BENJAMIN AVIN (#34884)**  
2216 Magazine Street  
New Orleans, Louisiana 70130  
Telephone: (504) 525-1500  
Fax: (504) 525-1501

**PLEASE SERVE:**

**FIELDWOOD ENERGY LLC**

Through its registered agent:  
Capitol Corporate Services, Inc.  
8550 United Plaza Building II, Suite 305  
Baton Rouge, Louisiana 70809

**ABC INSURANCE COMPANY** (hold service on this defendant)

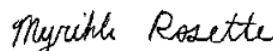
**ACADIAN CONTRACTORS, INC.**

Through its registered agent:  
N. R. Broussard, Jr.  
17102 W. Louisiana Highway 300  
Abbeville, Louisiana ~~70009~~  
**70510**

**XYZ INSURANCE COMPANY** (hold service on this defendant)

**HAROLD LIRETTE**

At his last known address:  
236 David Drive  
Thibodaux, Louisiana 70301





**Certified True and  
Correct Copy**  
CertID: 2020090100133

East Baton Rouge Parish  
Deputy Clerk of Court

Generated Date:  
9/1/2020 8:49 AM